

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
JOEL PENA,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	21-CV-5821 (VSB)
	:	
PW BRANDING, INC.,	:	<u>ORDER</u>
	:	
	:	
Defendant.	:	
	:	
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	X	

VERNON S. BRODERICK, United States District Judge:

On July 7, 2021, Plaintiff, proceeding *pro se*, filed this action against Defendant PW Branding, Inc. (Doc. 1.) Plaintiff obtained a summons on July 7, 2021 but failed to file an affidavit of service. On October 7, 2021, I ordered Plaintiff to submit a letter of no more than three (3) pages, supported by legal authority, demonstrating good cause as to why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m). (Doc. 3.) I warned that failure to do so would “result in dismissal of this action.” *Id.* I directed the Clerk of Court to mail a copy of the order to Plaintiff, but the mail was returned as undeliverable. To date, Plaintiff has failed to abide by my order and has taken no further action to prosecute this action.

Accordingly, this action is dismissed without prejudice pursuant to Rule 4(m). The Clerk of Court is respectfully directed to mail a copy of this order to the pro se Plaintiff at his last known address and close the case.

SO ORDERED.

Dated: November 22, 2021
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, slightly stylized font. The first name "Vernon" is written with a large, prominent "V" and the last name "Broderick" follows in a similar cursive style.

Vernon S. Broderick
United States District Judge